UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,288	03/18/2004	Glenn C. Forrester	21986-00001	5657

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EXAMINER
BATURAY, ALICIA

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/803,288	FORRESTER, GLENN C.
	Examiner	**Art Unit**	
	Alicia Baturay	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on <u>18 March 2004</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-25</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>18 March 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>03/18/2004</u>.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-25 are presented for examination.

Drawings

2.   New corrected drawings in compliance with 37 CFR 1.121(d) are required in this

application because the reference numerals in Fig. 4 appears to be handwritten. Applicant is

advised to employ the services of a competent patent draftsperson outside the Office, as the

U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings

are required in reply to the Office action to avoid abandonment of the application. The

requirement for corrected drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because of the following informalities: The abstract is

numbered. Other than in a reissue application or reexamination proceeding, the paragraphs

of the specification, *other than in the* claims or *abstract*, may be numbered at the time the

application is filed. See MPEP § 608.01 I (6). Appropriate correction is required.

4.   The use of the trademarks Amazon.com, Netflix.com, Barnes and Noble, Google,

RoboWord, Babylon, WordPoint, GuruNet, Ofoto, WebTV, Windows NT and Java has been

noted in this application. It should be capitalized wherever it appears and be accompanied by

the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary

nature of the marks should be respected and every effort made to prevent their use in any

manner which might adversely affect their validity as trademarks.

5.   The disclosure is objected to because it contains an embedded hyperlink and/or other

form of browser-executable code, www.FlySwat.com on page 3, paragraph 10 and

http://www.google.com/search?q=selected text on page 6, paragraph 21. Applicant is

required to delete the embedded hyperlink and/or other form of browser-executable code. See

MPEP § 608.01.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 1-3, 5, 8, 10-13, 14, 19, 20 and 22 are rejected under 35 U.S.C. 102(e) as being

anticipated by Stevenson et al. (U.S. 7,257,585).

8.   With respect to claim 2, Stevenson teaches the invention described in claim 1, including a

method further comprising: processing at the client system the at least one of the resulting

web page and other output; and prompting the user to select a command to perform on the resulting web page (Stevenson, col. 5, lines 60-65).

9.   With respect to claim 3, Stevenson teaches the invention described in claim 1, including a method wherein selecting an object from an electronic document further comprises selecting an object including at least one of text, a hyperlink, a picture, a sound file, a video file, and any selectable object included within the electronic document (Stevenson, Fig. 7, element 133; col. 5, lines 21-22 and 51-53).

10.   With respect to claim 5, Stevenson teaches the invention described in claim 1, including a method wherein selecting an object from an electronic document further comprises utilizing a text-grabbing algorithm to select the object (Stevenson, Figs. 4-7; col. 5, lines 8-34).

11.   With respect to claim 8, Stevenson teaches the invention described in claim 1, including a method wherein displaying a function menu on the client system further comprises displaying a function menu on the client system by utilizing at least one of a mouse, a keyboard, a track-ball, a joystick, a digitizing pad, a touch screen, a voice activation device, and any input device connected to the client system (Stevenson, col. 5, lines 51-53).

12.   With respect to claim 10, Stevenson teaches a network based system for retrieving information, said system comprising:

A client system comprising a user interface and a browser (Stevenson, col. 2, lines 45-52); a centralized database for storing information (Stevenson, Fig. 2, element 39; col. 4, lines 45-47); and a server system configured to be coupled to said client system and said database (Stevenson, Fig. 2, element 33; col. 4, line 50), said server system further configured to: enable a user to select an object from an electronic document displayed on said user interface; display a function menu on said user interface to prompt a user to select a desired function (Stevenson, Fig. 7, element 133; col. 5, lines 21-22 and 51-53); receive the selected object and the selected function from said client system (Stevenson, col. 5, lines 58-59); process the selected object by applying the selected function; communicate with a target web server to complete the processing of the selected object; and transmit at least one of a resulting web page and other output to said client system (Stevenson, col. 5, lines 60-65).

13.   With respect to claim 14, Stevenson teaches the invention described in claim 10, including a system wherein said client system further comprises at least one of a cell phone, a computer, a personal digital assistant (PDA), and a television (Stevenson, col. 2, lines 45-52).

14.   Claims 1, 11-13, 19, 20, 22 do not teach or define any new limitations above claims 2, 3, 5, 8, 10, 14 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

16.   Claims 4, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Stevenson and further in view of Bates et al. (U.S. 6,735,347).

Stevenson teaches the invention substantially as claimed including an embodiment that is

an add-on to a browser allowing the browser to augment files "on the fly," i.e. where the user

directs a browser to a resource located on a network, the method analyzes the file as it is

opened by the browser, augments the file with appropriate hyperlinks, and displays the

augmented file with active hyperlinks. "Clicking on" the hyperlink will redirect the browser

to the associated uniform resource locator (see Summary of Invention).

17.   With respect to claim 4, Stevenson teaches the invention described in claim 1, including a

method for retrieving information using a server system (Stevenson, Fig. 2, element 33; col.

4, line 50) coupled to a centralized database (Stevenson, Fig. 2, element 39; col. 4, lines 45-

47) and at least one client system (Stevenson, col. 2, lines 45-52), said method comprising:

selecting an object from an electronic document displayed on a client system; displaying a

function menu on the client system to prompt a user to select a desired function (Stevenson,

Fig. 7, element 133; col. 5, lines 21-22 and 51-53); transmitting the selected object and the

selected function from the client system to the server system (Stevenson, col. 5, lines 58-59);

processing the selected object by applying the selected function at the server system;

communicating with a target web server to complete the processing of the selected object;

and transmitting at least one of a resulting web page and other output to the client system

(Stevenson, col. 5, lines 60-65) and transmitting at least a portion of the extracted text from

the client system to the server system such that the server system processes the extracted text

(Stevenson, col. 5, lines 60-65).

Stevenson does not explicitly teach the use of OCR.

However, Bates teaches a method wherein selecting an object from an electronic

document further comprises: processing the selected object using optical character

recognition (OCR) and extracting text from the selected object using OCR (Bates, col. 5,

lines 15-56).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Stevenson in view of Bates in order to enable the use of OCR. One

would be motivated to do so in order to convert textual information contained within an

image easily and automatically.

18.   Claims 15 and 21 do not teach or define any new limitations above claim 4 and therefore

are rejected for similar reasons.

19.   Claims 6, 7, 9, 16-18 and 23-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Stevenson and further in view of Baird et al. (U.S. 2002/0188603).

20.   With respect to claim 6, Stevenson teaches the invention described in claim 1, including a

method for retrieving information using a server system (Stevenson, Fig. 2, element 33; col.

4, line 50) coupled to a centralized database (Stevenson, Fig. 2, element 39; col. 4, lines 45-

47) and at least one client system (Stevenson, col. 2, lines 45-52), said method comprising:

selecting an object from an electronic document displayed on a client system; displaying a

function menu on the client system to prompt a user to select a desired function (Stevenson,

Fig. 7, element 133; col. 5, lines 21-22 and 51-53); transmitting the selected object and the

selected function from the client system to the server system (Stevenson, col. 5, lines 58-59);

processing the selected object by applying the selected function at the server system;

communicating with a target web server to complete the processing of the selected object;

and transmitting at least one of a resulting web page and other output to the client system

(Stevenson, col. 5, lines 60-65).

Stevenson does not explicitly teach a user being able to customize the function menu.

However, Baird teaches a method wherein displaying a function menu on the client

system further comprises enabling the user to designate a web site as a target web site for a

function included within the function menu (Baird, page 4, paragraph 31).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Stevenson in view of Baird in order to enable a user to customize the

function menu. One would be motivated to do so in order to allow a user to configure a

search tool using the Internet or other network from within an application.

21.   With respect to claim 7, Stevenson teaches the invention described in claim 1, including a

method for retrieving information using a server system (Stevenson, Fig. 2, element 33; col.

4, line 50) coupled to a centralized database (Stevenson, Fig. 2, element 39; col. 4, lines 45-

47) and at least one client system (Stevenson, col. 2, lines 45-52), said method comprising:

selecting an object from an electronic document displayed on a client system; displaying a

function menu on the client system to prompt a user to select a desired function (Stevenson,

Fig. 7, element 133; col. 5, lines 21-22 and 51-53); transmitting the selected object and the

selected function from the client system to the server system (Stevenson, col. 5, lines 58-59);

processing the selected object by applying the selected function at the server system;

communicating with a target web server to complete the processing of the selected object;

and transmitting at least one of a resulting web page and other output to the client system

(Stevenson, col. 5, lines 60-65).

It would have been Stevenson does not explicitly teach a user being able to customize the function menu.

However, Baird teaches a method wherein displaying a function menu on the client

system further comprises enabling the user to customize the function menu by selecting each

function included within the function menu (Baird, page 4, paragraph 31).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Stevenson in view of Baird in order to enable a user to customize the

function menu. One would be motivated to do so in order to allow a user to configure a

search tool using the Internet or other network from within an application.

22.   With respect to claim 9, Stevenson teaches the invention described in claim 1, including a

method for retrieving information using a server system (Stevenson, Fig. 2, element 33; col.

4, line 50) coupled to a centralized database (Stevenson, Fig. 2, element 39; col. 4, lines 45-

47) and at least one client system (Stevenson, col. 2, lines 45-52), said method comprising:

selecting an object from an electronic document displayed on a client system; displaying a

function menu on the client system to prompt a user to select a desired function (Stevenson,

Fig. 7, element 133; col. 5, lines 21-22 and 51-53); transmitting the selected object and the

selected function from the client system to the server system (Stevenson, col. 5, lines 58-59);

processing the selected object by applying the selected function at the server system;

communicating with a target web server to complete the processing of the selected object;

and transmitting at least one of a resulting web page and other output to the client system

(Stevenson, col. 5, lines 60-65).

Stevenson does not explicitly teach a user being able to customize the function menu.

However, Baird teaches a method wherein processing the selected object by applying the

selected function at the server system further comprises: generating a plurality of universal

resource locators (URLs) based on the selected object and the selected function (Baird, page

3, paragraph 25); communicating with each target web server corresponding to each of the

plurality of URLs (Baird, page 2, paragraph 13); generating a processing result at each of the

target web servers by processing the selected object (Baird, page 4, paragraph 33);

transmitting the results from each of the target web servers to the server system; and

processing each of the results at the server system before transmitting at least one resulting

web page and other output to the client system (Baird, page 4, paragraphs 27 and 34).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Stevenson in view of Baird in order to enable a user to customize the

function menu. One would be motivated to do so in order to allow a user to configure a

search tool using the Internet or other network from within an application.

23.   Claims 16-18 and 23-25 do not teach or define any new limitations above claims 6, 7 and

9 and therefore are rejected for similar reasons.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
September 27, 2007

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER